

Serial No. 10/035,597
Attorney's Docket No.:13625-002001

Remarks

Reconsideration and allowance of the above-referenced application are respectfully requested.

Initially, the examiner is thanked for his time and attention during the interview which was conducted on August 17, 2004. The points below were discussed during their interview, along with the discussion of the Ishibashi reference.

Claims 1-17 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Ishibashi. In response, and as discussed during the interview, claims 1 and 10 are amended to clarify that the simulation comprises simulating an entire playing of a round of the game from start to finish, which is done in an invisible manner. This further distinguishes over Ishibashi, for reasons set forth herein.

Claim 1 defines that a simulation system runs the simulation that simulates the playing of the game to simulate the entire playing of the game round from start to finish. A comparator compares the end condition of the simulation with the precalculated desired outcome, and adjustment means adjusts the starting parameters so that a subsequent running is done in a visible manner, coinciding with the end condition that is desired. Therefore, this system runs each game round twice: first in an invisible manner as a simulation, and subsequently

Serial No. 10/035,597
Attorney's Docket No.:13625-002001

visibly so that the user can see it. This is very different than the teaching of Ishibashi.

Ishibashi teaches a system for a slot machine which uses reels that start and stop at locations. An object of Ishibashi is that the reels can be started at different times so that they are all stopped at equal time intervals, see generally column 4, lines 60-64. In order to do this, Ishibashi operates by choosing a random number, and comparing that random number to values in a win-probability table; see generally column 6, lines 56-60. This determines if the current play is a loss, big hit, a medium hit or a small hit. Thereafter, the reels, 34 and 35 are stopped at desired locations to effect the big hit, small hit, or medium hit. See generally column 3, lines 63-67. However, the reels will be stopped at their desired location based on the random number see generally column 8, lines 64-67. The point is that Ishibashi wants to stop all these reels at more or less the same time. In order to do this, delayed positions are calculated based on the equations in column 8, lines 5-32. These delay positions are used to delay the start of rotation of the reels, see generally column 10, lines 21-46. Therefore, even though the stopping position of the reels is predestined, it will occur more or less at the same time based on the calculation.

Serial No. 10/035,597
Attorney's Docket No.:13625-002001

During the interview, the examiner stated his position that this calculation could be considered a simulation. While applicants believe that this is not the same as the claimed "simulating playing of the game," claim 1 has been amended to recite that the simulating simulates "the entire playing of a game round from start to finish...". This is certainly not taught or suggested by the equations and by Ishibashi.

Ishibashi further does not teach or suggest a first invisible simulation of the game, followed by a second invisible operation of the game as claimed by claim 1, thus rendering claim 1 even further patentable over Ishibashi.

As one additional difference, claim 1 requires that the comparator compares the end result of the simulation "with the precalculated desired outcome of the game". Ishibashi does not precalculate a desired outcome, but rather selects this based on a random number. Therefore, claim 1 should be allowable along with claims 2-9 which depend therefrom.

Claim 10 has been amended in similar ways, to recite simulating an entire round of the game, determining the end position, and comparing that in condition of the simulation with the desired outcome and adjusting the starting parameters based on the comparing. This is not taught or suggested by Ishibashi, and should hence be allowable thereover.

Serial No. 10/035,597
Attorney's Docket No.:13625-002001

In view of the above amendments and remarks, therefore, all of the claims should be in condition for allowance. A formal notice to that effect is respectfully solicited.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Serial No. 10/035,597
Attorney's Docket No.:13625-002001

Applicant asks that all claims be allowed. Please apply
any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,



Scott C. Harris
Reg. No. 32,030

Date: September 13, 2004

Fish & Richardson P.C.
PTO Customer Number: 20985
12390 El Camino Real
San Diego, CA 92130
Telephone: (858) 678-5070
Facsimile: (858) 678-5099
10426254.doc